AN OLD BACHELOR'S WILL.

MANY COMPLICATIONS OVER THE CON-TEST OF STEPHEN C. DIMON'S ESTATE.

MRS. MARTHA KEERY WANTS IT ALL-SO DO HIS

RELATIVES-TORN AND MUTILATED DOCU-MENTS IN EVIDENCE. is an interesting fight now in progress in Term of the Supreme Court, before Justice Ingraham, over the estate of Stephen C.

Dimon, an eccentric bachelor who died on January He left personal property of the value of about \$25,000, composed mainly of securities on de-posit in the Mercantile Safe Deposit Company and the American Safe Deposit Company. In addition to this, Mr. Dimon left a one-seventh interest in what is known as the "Old Shipyard" property, ounded by Lewis and Third sts. and the East River. The value of this property is estimated at

No will of Mr. Dimon has ever been found which could be offered for probate, but by the action which is now being tried, brought by Mrs. Martha Seery, she is seeking to establish a lost will, under the provisions of which, she declares, she is en-titled to all of the old bachelor's property, to the exclusion of his brothers and sisters. Mr. Dimon for years lived wile Mrs. Keery and her mother.

Mrs. Gray, at the house No. 117 West Forty-seventhsit road is to be settled at the coming election, the st. Mrs. Keery's claim to all of his property is based upon a will which, she declared, he executed setting forth just what the present conditions are. September 30, 1884, the consideration for which was his friendship for her, and her promise to give him care and comfort for the remainder of his days. That instrument she has not been able to

of the old man's real estate, then she will make a claim for his entire personal property, as she de-clares that three days before his death he gave her

claim for his entire personal property, as she declares that three days before his death he gave her the keys of the safe deposit vaults, and told her that the contents of them belonged to her. His brothers and sisters will resist her claim to the last point, and claim possession of his fortune as his helrs-at-law and next of kin. They are represented by William R. Wilder, H. H. Anderson, Jacob F. Miller, Abner C. Thomas and James B. Ludow, while Mrs. Keery's counsel are Wheeler H. Peckham and Thoudore H. Priend.

The brothers and sisters of the old bachelor have some interesting evidence in the shape of a mutilated will which Mr. Dimon executed some time in 1891, containing substantially the same provisions as in the alleged lost will in favor of Mrs. Keery, But the will of 1891 contains many erasures and obliterations which the bachelor made, and his signature is also blotted out, showing, they declare, that he intended to revoke the paper. This document has been photographed and examined by an expert in handwriting, who will give some interesting testimony before the trial is ended. The brothers and sisters will insist that by the revocation of this will of 1891 the alleged will of 1884 is also revoked.

Ex-Police Justice B. T. Morgan testified that on September 30, 1884, he drew a will for Mr. Dimon by which all of his property was left to Mrs. Keery, She also testified that Mr. Dimon had told her of the contents of this will. She was married in 1882, and lives at Hancock, Delaware County, N. Y.

ean't vote. Neither can you. Mr. Cleveland doesn't like to vote for Hill and Tammany, but how about you! You want to vote gainst them. Then register!

IN FAVOR OF THE BECK WILL. JUDGE BEACH DIRECTS A JURY TO FIND IT VALID -THE LARGE AMOUNT OF PROPERTY

INVOLVED. Before Judge Beach and a jury, in Part IV, of the Supreme Court, was begun yesterday the trial of the suit brought by the Farmers' Loan and Frust Company, as executors of the will of Charles Bathgate Beck, to have the will declared valid. This proceeding is taken under a law passed about a ives to sue. The contestants in the Surrogate's court are made defendants in the present action.

Benjamin Steinhardt, of the law firm of Howe & Hummel, apearded as guardian ad litem for Char-Mathilda B. Carter, who was specifically disinherited by the will. Frederick W. Devoe appeared as comfor Maria L. Bathgate, who is confined in the Bloomingdale Asylum.

Charles Bathgate Beck cled last October, leaving an estate estimated to be worth all the way from an estate estimated to be worth all the way from 1,500,000,000 to \$5,000,000. By the will executed on November 5, 1891, Beck left \$10,000 to the Home for Incurables, \$10,000 to the Society for the Prevention of Cruelty to Animals, \$10,000 to the Society for Prevention of Cruelty to Children, \$5,000 to the Peabody Home for Aged Women, and \$10,000 to Columbia College. He also gave \$100,000 to the First Presbyterian Church, in West Farms, for a new church.

hurch.
Yesterday David May as counsel for Mathilda larter, took exception to the proofs, and declared hat the executor was not entitled to two adjudications that the win is vaild. No evidence was offered or the defence, and Judge Beach directed the jury of find that the will is vaild. Mrs. Carter announced er intention to appeal from the decision.

loss that the will is vailed. No evidence was offered for the defence, and Judge Beach directed the jury to find that the will is vailed. Mrs. Carter announced her intention to appeal from the decision.

A SET BACK FOR THE HUCKLEBERRY ROAD JUSTICE INGRAHAM GIVES AN IMPORTANT DECISION CURTAILING SOME OF ITS OUT.

RAJECU'S PHINTLEGES.

Justice Ingraham in the Special Term of the Suppreme Court gave an important decision yesterday in the suil brought by James Rogers against the Union Railway Company of New-York, better known as the "Huckleberty Railroad," to enjoin the building of the railroad through One-hundred-and-thrity-fifthest, upon the ground that the acts and the will be added to the constitutional provision that and odd. The defence of the company was that all its proceedings under the act of 1885, which gave it its franchises, were expressly approved, railed and confirmed by Justice Ingraham, who holds that the acts of 1894 referred to is void, being in contravention of the constitutional provision than one subject, and that must be expressed in its title. The title of the act of 1894 stated that it was "an act to amend chapter 361 of the laws of 1865," but, besides amending that act, it proceedings taken in substantial compliance with the provisions. "No one," says Justice Ingraham, "from reading," to end on "approve, reality and confirm" all proceedings taken in substantial compliance with the provisions." No one," says Justice Ingraham, "from reading," to end the people and not for us to determine when the provisions "No one," says Justice Ingraham, "from reading," to end the people and not for us to determine when the provisions "No one," says Justice Ingraham, "from reading," to end to the people and not for us to determine when the provisions "No one," says Justice Ingraham, "from reading," to end the people and not for us to determine when the provisions "No one," says Justice Ingraham, "from reading, that and, if proceedings take in a substantial compliance with the provisions." No one, "says Jus taken in substantial compilance with the provisions

of that act.
"No one," says Justice Ingraham, "from reading the title of this act of 1894, which was expressed to be an act to amend a certain chapter of the laws of 1863, would have the slightest idea that it was proposed to confirm to a corporation the right to construct many miles of railroad in New-York City, it appears to me that section 2 of the act of 1894 is glearly in contravention of this constitutional prohibition and is yold." Slearly in contravention of this constitutional pro-nibition and is void."

He leaves to the Appellate Court to decide whether the original acts under which the road claims its rxistence are constitutional or not.

Washington, Oct. 25.-The day call in the United States Supreme Court to-morrow will be as follows: Nos. 39, 40, 41, 44, 45, 47, 48, 49, 50, 51, 53, 54, 55 and 57.

THE COURT OF APPEALS CALENDAR. Albany, Oct. 25.-The Court of Appeals day calendar for to-morrow is Nos. 553, 554, 558, 559, 560, 562, 564, and 569.

Supreme Court—General Term—Recess.
Supreme Court—Chambers—Before Barrett, J.—Court cpens at 10:39 a. m. Motion calendar called at 11 n. m.
Supreme Court—Special Term—Part I—Before Ingraham,
I.—Law and fact: Nos. 1008, 1483. Case unfinished.
Supreme Court—Special Term—Part II—Before Patterson,
J.—Elevated Railroad cases. Case unfinished.
Supreme Court—Special Term—Part III—Before Russell,
J.—Causes to be sent from Part I for trial. Clear.
Circuit Court—Part I—Before Lawrence, J.—Causes to be sent from Part III for trial. Clear unfinished.
Circuit Court—Part II—Before Andrews, J.—Causes to be sent from Part III or trial. Clear unfinished.
Circuit Court—Part II—Before Van Brunt, P. J.—Short causes to the sent from Part III or trial. Case unfinished.
Single Court—Part IV—Before Deach, J.—Causes to be sent from Part III for trial. Case unfinished.
Circuit Court—Part IV—Before Deach, J.—Causes to be sent from Part III for trial. Case unfinished.
Superior Court—Special Term—Before McAdam, J.—Motions.
Superior Court—Equity Term—Before Durro. J.—No.

lions.

Superior Court-Equity Term-Before Dugro, J.-Nos.

574, 563, 564. Clear.

Superior Court-Trial Term-Part I-Adjourned for the term.

superior Court-Trial Term-Part II-Before Freedman, I.-Short causes: Nos. 1435, 1341, 1560, 1566, 1523. Clear, Superior Court-Trial Term-Part III-Adjourned for the term. Surrogate's Court-Chambers-Before Arnold, 8.—Motion called at 10:30 a. m. Wills for probate: Thekla called at 10:30 a. m. Wills for probate: Thekla called at 10:30 a. m. George W. Lowery, Ann R. McGrath, James J. Maria L. Daly, at 10:30 a. m. Lemuel Strauss, at 2 p. m. Surrogate's Court-Trial Term-Before Fitzgerald, S.—No day calendar.

endar. Pleas-Special Term-Before Giegerich, J.-

Motions Pleas—General Term—Adjourned sine die.

Common Pleas—General Term—Before Pryor, J.—Nos.

Common Pleas—Equity Term—Before Pryor, J.—Nos.

Common Pleas—Trial Term—Part I.—Before Daly, C. J.—

Nos. 1202, 1285, 938, 1218, 1245, 740, 2303, 1254, 1258, 1280, 1265, 1278, 1281, 1187, 1287, 1294, 1295, 1296, 1300, 1185, 1201, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1306, 1307, 1308, 1306, 1307, 1308, 1306, 1307, 1308, 1308, 1308, 1307, 1308, 1308, 1308, 1308, 1307, 1308, 1308, 1308, 1308, 1307, 1308, 1308, 1308, 1308, 1307, 1308, 130 non Pleas-Trial term-Part III-Adjourned for the

1040, 273, 725, Clear,
City Court—Trial Term—Part III—Before Ehrlich, C. J.—
Nos. 164, 527, 1012, 589, 1092, 1963, 369, 968, 1080, 1088,
947, 502, Clear,
City Court—Trial Term—Part IV—Before Van Wyck, J.
Short causes; Nos. 2431, 2339, 2329, 2182, 1719, 2212,
1963, 2154, 2143, 2279, 2379, 2387, 2393, 2277, 2447, 2426,
Clear

REFEREES APPOINTED. Supreme Court.

By Barrett, J.

Matter of Steers—Joseph A. Thompson.
Geis vs. Geis (2 cases)—Frederick P. Foster.
By Ingraham, J.

Balack vs. Hashrook—Daniel G. Rellins. RECEIVER APPOINTED.

Supreme Court. By Lawrence, J. Frederick Hughes vs. Elder H. Patterson-John R

FOR THE CITY TO DECIDE. THE ALL-IMPORTANT QUESTION OF RAPID

TRANSIT.

CLARE IN FAVOR OF THE CITY BUILDING In view of the fact that the important question of

The paper is in part as follows:

The paper is in part as follows:

In order to comply with the statutory requirement in time to submit this question to the voters at the election, the Commissioners were compelled to take the routes and plans for an underground road which had already been adopted by the former Rapid Transit Commission, and for which all consents required by law had already been obtained. Broadly stated, this road extends from the Battery through Broadway to the Boulevard, and thence to the northerly limits of the city. A branch also extends from Union Square up Fourth-ave, to Forty-third-st. On Election Day two ballots will be placed in the hands of each voter, one of which will read "For Municipal Construction of Rapid Transit Road" and the other will read "Against Municipal Construction of Rapid Transit Road". If the vote for municipal construction shall prevail the Rapid Transit Commission is authorized to make such changes in the routes and plans already adopted as it may see fit. If the vote shall be a favorable one it is the purpose of the commissioners to reconsider the whole subject, to make such modifications as may seem necessary or advisable, and to adopt plans for an extension of the route on the East Side which shall adequately meet the just demands of the people residing in that part of the city. At least six of the eight Commissioners must concur in the award of the contractors shall also operate the railroad as lessee for a period to be fixed by the Commissioners, of not less than thirty-five nor more than fifty years, at a yearly rent to be paid the city. This rent must be sufficient in amount to pay the yearly interest on the bonds is sued by the Commissioners, but not less than 1 per cent of the entire cost of the road.

THE CITY WOULD OWN IT.

The road is to be at all times the property of ruction and in our cost of its the city. The city is to pay the cost of its con-this purpose is authorized to sell its bonds. It is the intention of the commissioners to exact a bond from the contractors, which in amount and in the number and the responsibility of the sureties will abundantly secure the city against any default on the part of its contractor. The contractor is required to equip the road (that is, to provide cars, motive power and other appliances for its operation, at his own expense and the city is also to have a first lien on all of this property as further security for the performance of the contract

as further security for the performance of the contract.

The annual rental which the contractor is to pay to the city must, as we have said, be equal to the interest on the bonds issued by the city to pay for the road, and an additional sum of not less than 1 per cent upon the amount of such bonds. The law requires that the rent so received shall be first applied to the payment of the interest on the bonds, and that the balance shall constitute a sinking fund for the payment of the principal of the bonds when they become due, it will thus be seen that no additional burden will be laid upon the taypayers by reason of the expenditures of the city in building the road, as the road will thus eventually pay for itself out of the rent which the lessee is obliged to pay each year into the city treasury. Ample power is conferred upon the Rapid Transit Commissioners to require such agreements on the part of the contractor as will suitably provide for the comfort and safety of the passengers using the road, and to establish and limit the rates of fare to be charged for transportation.

Experience shows that, as rapid transit facilities in the city of New-York are increased, real estate wheat opened the opening to

part of the city are thus benefited in the reduction of general taxation which should follow increased taxable values of property.

The criticism that the issue of city bonds necessary to provide rapid transit may exhaust the further capacity of the city to incur indebtedness is, we think, without support. The present margin for the issue of bonds is about \$57.09,000. The following illustration will be found instructive on this point. point: Between the years 1887 and 1892, both inclusive, nearly \$66,000,600 of bonds were issued by the city.

OLD DUTCH AND FLEMISH MASTERS.

A FINE COLLECTION OF PAINTINGS MADE BY

L. R. EHRICH. TO BE PUT ON

FURLIC EXHIBITION.

Louis R. Ehrich, the well-known art collector of this city, has loaned to the American Fine Arts Society his collection of paintings by old Dutch and Flemish masters, and for the next four weeks the public will have an opportunity of viewing this excellent collection at the art gallery of the society, No. 215 West Fifty-seventh-st. Mr. Ehrich has devoted over eight years in completing this colection and has been aided by the most prominent art experts of Munich and The Hague.

The collection, numbering in all seventy-two paintings, includes examples by all the masters of the Dutch school, with the exception of Rembrand and var connoisseurs, containing, as slowes, many paintings by minor artists quite unknown outside the permanent galleries in Europeans of the old Dutch and Flemish schools are "The Peasants' Dance, Peter Faul Rubers, "Portrait of a Young Woman, Frans Rais, and "Portrait of a Young Woman, Frans Rais, and "Portrait of a Young Woman, "Frans Rais, and "Portrait of a Young Rais, "Rais Rais, "Rais Rais, "Rais Rais, "Rais Rais, "Rais

THE STATE OF TRADE.

Baltimore, Oct. 25.—Flour dull, unchanged; sales, 165 bbbs. Wheat dull and easy No. 2 red. spot and October, 552 g533 cc. December, 644 g564 se. May, 704 g568 cc. 552 g533 cc. December, 644 g564 se. May, 704 g568 cc. steamer No. 2 red, 513 cc. bid, milling wheat by sample, steamer No. 2 red, 513 cc. bid, milling wheat by sample, 550; stock, 974,131 bush, sales, 244,000 bush. Corn dull, mixed, year, 493 cc. bid, January, 500 asked, Southern white, 5695 se. do yellow, 550 stock, 15,788 bush, sales, 26,000 bush. Oats gutet but from, No. 2 white sales, 26,000 bush. Oats gutet but from, No. 2 white sales, 25,000 bush. Oats gutet but from, No. 2 white sales, 25,000 bush. Oats gutet but from, No. 2 white sales, 25,000 bush. Gas gas decl. stock, 22,102 bush. Hay steady, good to choice throthy, \$120512 50. Gcain freights dull, steam to Liverpool, is 494, No. 7, 145 cc. 10.

No. 1, 1858 no.

Boston, Oct. 25.—Flour quiet, but steady. Corn quiet.
Oats quiet. Shorts quiet. Provisions quiet. Butter quiet.
Northern ereamery. 21c. Western, 23c. Cheese quiet;
hest Northern, 100 He; Western, 100 104;c. Eggs quiet. Chicago, Oct. 25.-The leading futures ranged as fol-Wheat No. 1.

Corn. No. 2: Oats No. 2: 27% 27% 28% 32%@32% Lard, per 100 th:

THE MARKETS.

TOTAL RECEIPTS TO-DAY. New-York, October 25, 1894.

171.000

THE GENERAL MARKET REPORT.

THE GENERAL MARKET REPORT.

New-York, October 25, 1894.

COTTON—After opening steady with a loss of 3 to 4 points as compared with yesterday's closing, the market sold off a point or so more and then railled 5 points, holding steady during the merning session, but quiet toward neon. During the afternoon the market railled quiet sharply on the report of Mr. Landauer that his estimate on the crop was for \$100,000 bales, based on a crop in Texas of 2,700,000 bales. He estimates the takings of the compared to 1,000,000 bales. Mr. Landauer's estimate has year exceeded the actual crop, hence his estimate this year has more of a builties significance, as it is lower than estimates made by some other authorities.

Periain 47-000 bales, continent, 749-000 bales, last year, 140-00 bales, and 740-000 bales, respectively.

COFFEE Increases transactions were recorded to-day, with prices up a few points on berai buying, January with prices up a few points on berai buying, January trading was larce. Hamburg classel for October deliveries at 71 pfgs. November, 68-25 pfgs, Becomber, 67 pfgs, January 62-25 pfgs, February, 68-25 pfgs, March, 55 pfgs, March, 55 pfgs, Bib official cables firm at 11,250 test for No.7, exchange, 115-16, recepts, 10-200 bags, stock, 502-90 bags, about 52 pfgs, Barre market seady, sales, 30-200 bags, stock, 502-90 bags, and the seady sales at 11,250 bags, October quoted at 8-25 pfgs, March, 75 pfg, January, 19-15 pfgs, March, 75 pfg, April, 72-5 pfg, April, 72-5 pfg, March, 75 pfg, April, 72-5 pfg, Apri

The control of the co

Corn: do white: Receipts of breadstuffs at interior points in thou last three ciphers (000) omitted. Flour bbis, grain as follows:

Totals 58 330

AND SYRUPS. The market is without ma-

NAVAL STORES Stock: Rosin, 22.312 bbls; turpentine, 1,292 bbls; tar, 1,155 bbls, Although the market for

ork for orders, nominally, 2s 4d, order to 17-64, petroleum to United Kingdom, 2sig2s 4d, 14A3TERISS. There is not much life in the general et, which however, remains firm for steam and enmage seeking charters, Charters follow British steam, 2,000 tons, cotton, New-Orleans to Lives on the continuous seeking charters, that the continuous seeking charters, that the continuous seeking charters, that is a Lives of the continuous seeking charters, that is a Lives of the continuous seeking charters, that is the continuous seeking charters of the continuous seeking charters.

DRESSED-Market DRESSE; general per la construction of the construction of the construction of a clearance. Prices has and the market closes in a demoralization of the construction o GAME—Choice sound stock of nearly fair demand, but much of the supply is of order, and for such values are ver quote: Woodcock, per pair, 75c-681; par Pennsylvania, 75c-681; 25: do, Western, grouse, undrawn, 70s-85; do, drawn, 5 player, per doz. \$16\$1.56; wild ducks, 50c-681; 75; do, red head, 50c-681; dd. do, other kinds, 20g-68; venison, saidle whole deer, \$610c; rabbits, common, pencks, 69c. Jacks, Ge.

HAY AND STRAW—We quote: Hay, prime, per 100 h.
HAY AND STRAW—We quote: Hay, prime, per 100 h.
HAY AND STRAW—We quote: Hay, prime, 50c; 60.
clover mixed, 500,00c; do, clover, 400,45c; per straw, 350,00c;
POTATOES AND VEGETABLES—Irish potatos, quie
and no more than steady. Sweets continue dull and low. beans, green, per to but basket, \$18 \$1. Green peas, \$1.509\$2.25. Celery, \$1; do, per doz stalks, 100000c.

Liverpool, Oct. 25, 3:45 p. m.—Beef.—Extra India mea dull at 71s 3d; prime mess dull at 58s 6d; Pork.—Prime ness. Western fine, dull at 67s 6d; do medium dull at 69s. Harms—Short cut, about 14 to 16; 7s, steady at 44s. Pacon—Tumberland cut, about 25 to 30 fb, dull at Me-short rib, about 25 fb, dull at 38s; long clear middles, about 45 fb, dull at 38s; long and short clear middles, about 55 fb, dull at 37s 6d. Shoulders, about 12 to 18 fb, about 55 fb, dull at 37s 6d. Shoulders, about 12 to 18 fb. at 4s lovel. November steady at 4s steady at 4s 69-1. Hops at London-Paci at 42 10s@ff2 15s.

LIVE STOCK MARKETS.

morrow the Cufte will sail, carrying 265 catherberg & Son, and the same number for M. OCALVIN-Receipts, 71 head at Sixthethest, 75 head at other markets, and 300 grassers amwere held over from yesterday. Market fairly Wednesday's closing prices, and most all the sold at \$4937.50 per 100 lb for poor to choice \$2.40682.75 for mixed grassers and fed calves. Country dressed veals in light supply and 10 pc, and a few near-by calves brought 11c. Great \$400c, dressed grassers at \$6449c. Sairs-Hallenbeck & Hollis; 10 mixed calves, age, at \$2.75 per 100 lb, 10 do, 100 lb, at \$2.50.1 veals.

M. Collins: 2 State years, 150 lb, at \$2.50.1 veals.